

Summary of Conflict of Interest & Campaign Finance Laws



Chapters 105 and 130 RSMo.
September 2002

NOTICE

Fines and Late Fees

The Missouri Ethics Commission is required by statute to assess a late fee or fine when reports are not filed on time.

- Candidate committee quarterly campaign finance disclosure report – Ten dollars (\$10) a day late fee
- Candidate committee 8 day prior to election campaign finance disclosure report – One hundred dollars (\$100) a day late fee
- Candidate committee 30 day after election campaign finance disclosure report – Ten dollars (\$10) a day late fee
- Personal financial disclosure statement – Ten dollars (\$10) a day late fee
- Lobbyist monthly disclosure report – Ten dollars (\$10) a day late fee

Campaign finance disclosure reports and personal financial disclosure statements are due in the office of the Missouri Ethics Commission by the close of business on specific days or must be postmarked the day before they are due. **Note**: Some post offices do not postmark letters or packages on weekends.

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SUMMARY OF CHAPTER 105, RSMo
Conflict of Interest, Lobbying,
Personal Financial Disclosure and
Complaint Laws

Chapter 105, RSMo contains sections that deal with conflicts of interest by elected and appointed officials, regulation of lobbying, the reporting of personal financial information by elected and appointed officials, the filing of complaints, and the establishment of the Missouri Ethics Commission.

This summary of the law is intended to inform you concerning these various sections and should be used in conjunction with Chapter 105, RSMo. It is intended to explain the various sections; however, it is not the law. All persons subject to this section must comply with the statutes as written.

If you have any questions, please contact the Missouri Ethics Commission.

SECTION I. CONFLICTS OF INTEREST - Sections 105.450 through 105.467, RSMo

The Missouri Ethics Commission is given the statutory authority to investigate complaints made against elected and appointed officials. The Commission is also empowered to give written opinions concerning the actions of elected and appointed officials.

The conflict of interest laws for the State of Missouri are contained in sections 105.452 through 105.467, RSMo.

Prohibited Acts

No elected or appointed official or any employee of the state or of any political subdivision shall act, or refuse to act, in any capacity where he or she is empowered to act by reason of any payment or offer to pay or promise to pay, or gift or receipt of anything of value paid to the elected official or any third party.

Those officials stated above cannot use confidential information in the course of employment or official capacity or duty with the intent to have financial gain for him or herself, his or her spouse, dependent children or any business with which they are associated, nor can they disclose such confidential information with the intent to have financial gain for him or herself or others.

Those officials stated above cannot act on any matter that specifically gives special monetary benefit to him or herself, spouse or dependent children.

Those individuals stated above cannot use their decision-making authority for financial gain for him or herself, spouse or dependent children by acting or refusing to act for the purpose of extorting anything of value from another.

Elected or appointed officials or employees of the state or any political subdivision who serve in an executive or administrative capacity cannot perform any service for any agency of the state or political subdivision where he or she is elected or employed or has supervisory power for pay of more than five hundred dollars (\$500) per transaction or one thousand five hundred dollars (\$1500) per year unless the service is performed under a contract made after a public bid. The bid must be the lowest received.

The above-named persons cannot sell, rent, or lease any property to the state or the political subdivision where he or she is an officer or official for more than five hundred dollars (\$500) per transaction or one thousand five hundred dollars (\$1500) per year, unless the sale, rent or lease of the property is let by contract after a bid. The official must submit the lowest bid. The individual cannot participate or try to influence the decision of the state or political subdivision when he or she is an official when he or she knows the contract or sale or lease of property will give benefit to him or herself, spouse, dependent children or business when they are associated unless there is a competitive bid and that bid is the lowest received.

Those persons described above cannot perform any service while in office or employed by the state or political subdivision where they try to influence the state or political subdivision where they have supervisory powers. Also, those individuals cannot work for one (1) year after leaving office or employment where they attempted to influence a decision of the state or political subdivision where they had supervisory powers except in an advisory proceeding or in filing public documents. Also, they cannot work for any person, corporation, agency, etc., in relation to any case, proceeding application, etc., that they worked on during employment.

In addition to those restrictions, members of the general assembly, the governor, lieutenant governor, attorney general, secretary of state, state treasurer or state auditor cannot perform any service for the state or any political subdivision of the state for any pay except that pay associated with his or her official duties. These individuals cannot sell, rent or lease property to the state or any political subdivision for more than five hundred dollars (\$500) per transaction or one thousand five hundred dollars (\$1500) per year without competitive bid. The bid must be the lowest received.

They cannot attempt to influence for compensation the decision of any state agency, other than the compensation provided by law for their official duties. This does not prohibit these persons from participating in and being compensated for an adversary proceeding or filing public documents or conferences on those documents.

A sole proprietorship, partnership, joint venture, or corporation in which a member of the general assembly, governor, lieutenant governor, attorney general, secretary of state, state treasurer or state auditor or spouse of such official is the sole

proprietor or partner with more than ten (10) percent of the outstanding shares of stock cannot perform any services for the state or political subdivision of the state for more than five hundred dollars (\$500) per transaction or one thousand five hundred dollars (\$1500) annually without competitive bid and the bid must be the lowest received. Nor can that individual sell, rent or lease any property to the state for more than five hundred dollars (\$500) per transaction or one thousand five hundred dollars (\$1500) per year without competitive bid and the bid must be the lowest received.

Members of any legislative body or governing body of any political subdivision of the state are subject to the same type of restrictions. They cannot perform any service for the political subdivision for any consideration that is paid for in the performance of their duties. They cannot sell, rent, or lease any property to the subdivision in the amount of more than five hundred dollars (\$500) per transaction or one thousand five hundred dollars (\$1500) annually unless there is a competitive bid and the bid is the lowest received. Those officials of political subdivisions cannot be compensated, outside the compensation for official duties, to attempt to influence the decision of any agency in the political subdivision. This prohibition does not include the person participating for other compensation in any advisory proceedings or in any preparation or filing of any public documents.

If a member of any legislative or governing body of any political subdivision is the sole proprietor or a partner having more than ten (10) percent interest in a partnership or owner of more than ten (10) percent of the outstanding shares of stock in a corporation, then the sole proprietorship, partnership, joint venture or corporation cannot perform any service to the political subdivision for more than five hundred dollars (\$500) per transaction or one thousand five hundred dollars (\$1500) annually unless the contract for the service was awarded after a competitive bid and the bid was the lowest received. Also, such sole proprietorship, partnership, joint venture or corporation cannot sell, rent or lease property to the political subdivision for more than five hundred dollars (\$500) per transaction or one thousand five hundred dollars (\$1500) annually without a competitive bid and the bid must be the lowest received.

If the governor, lieutenant governor, any member of the general assembly or any member of the governing body of a political subdivision has a substantial interest in any measure or bill or order or ordinance, proposed or pending before the general assembly or the governing body, then before voting on the measure, the individual will file a written report with the chief clerk of the House, secretary of the Senate or clerk of the governing body stating the nature of the interest in such legislation. This requirement can also be met with the filing of a personal financial disclosure statement required by section 105.483, RSMo.

No member of any agency of state government or any political subdivision who has the power and authority to adopt rules and regulations, other than internal rules and regulations of the agency or board or who is authorized or empowered to fix any rate, adopt zoning or land use plans, or who is authorized to vote on such rates or zoning or land use plans, shall try to influence the decision or participate in the decision of the

agency when the adoption of the rate or zoning may result in direct financial gain or loss to the individual or his or her spouse or dependent child or to any business where he or she is associated.

Those persons described above cannot perform any service for any person or firm or corporation where they attempt to influence the decision of the agency where he or she is a member. They also cannot attempt to influence the decision of the agency where he or she worked for one (1) year after termination of employment. This does not preclude performing a service when such service is in an adversary proceeding or preparation and filing of public documents.

No person described above or any business which he or she is associated, shall perform any service, sell, rent or lease any property to any person or firm or corporation that has participated in any proceeding where the member adopted, participated in the adoption or voted on any adoption of a rate or zoning plan or granting or revoking of any license during the preceding year except such transaction was made due to the award of a contract after competitive bidding and the bid was the lowest received.

SECTION II. LOBBYING - Sections 105.470 through 105.473, RSMo

All lobbyists are required to file lobbyist registration statements and monthly lobbyist expenditure reports with the Missouri Ethics Commission. As with the campaign finance disclosure law, the objective is disclosure.

There are three types of lobbyists described in the statutes of the State of Missouri -- executive, legislative, and judicial.

Lobbyist Definitions

Executive Lobbyist (105.470) - An executive lobbyist is any person who acts for the purpose of attempting to influence the actions of the executive branch of government, either an elected official or an appointed official, or an employee of any department, division, agency, etc., in government. This person, in meeting this requirement, must be acting in the ordinary course of employment on behalf of, or for the benefit of, that person's employer; is engaged for pay, or other consideration; is performing such acts of influencing the executive branch; is designated as a lobbyist; or makes a total expenditure of \$50 or more during any twelve month period. This twelve month period begins January 1 and ends December 31 of each year.

An individual is not required to register as an executive lobbyist if that individual is a member of the general assembly, any state or elected official, or any other person who appears before any department, division, agency, etc., in regard to any complaint or summons or adversary position. Also, a person does not meet the requirements of an executive lobbyist if that person is preparing, filing, or responding to any audit for any tax return or any public document; or selling goods or services to be paid from public funds, provided that the person you are attempting to influence is a person authorized to

enter into a contract to purchase goods or services. You are not an executive lobbyist if you are strictly participating in public hearings or public proceedings on rules, grants or other matters; nor are you an executive lobbyist when you respond to any request for information made by a public official, or if you are preparing an editorial, newsletter, radio, or television broadcast. State employees and employees of the general assembly are not executive lobbyists when they perform duties in connection with their employment and testifying as a witness before any state board or commission does not constitute an individual as an executive lobbyist.

Legislative Lobbyist (105.470(4)) - A legislative lobbyist is defined as any person who attempts to influence the taking, passage, amendment, delay or defeat or any action on any bill, resolution, amendment, nomination, appointment, report, or any other action, or any matter pending before the legislature, either the state house or the state senate. And in connection with that activity, is either acting in the ordinary course of employment in which the primary purpose is to influence the legislature; is engaged in pay or other valuable consideration for such activities; is designated as a lobbyist; or makes a total expenditure of \$50 or more during the twelve month period beginning January 1 and ending December 31 of any year.

You are not a legislative lobbyist if you are: solely responding to a request for information made by a public official; if you are preparing any publication of an editorial, newsletter, magazine, radio, or television broadcast; or if you are acting within the scope of employment with the General Assembly, or testifying as a witness in front of any committee.

Judicial Lobbyist (105.470(3)) - A judicial lobbyist is described as any natural person who acts or attempts to act for the purpose of influencing any purchasing decision made by the judicial branch of government or any elected or appointed official in the judicial branch of government; is acting in the ordinary course of employment in which the primary purpose is to influence the judiciary in its purchasing decisions; or is engaged in pay or other valuable consideration for the purpose of such activity with the judicial branch; is designated as a lobbyist; or makes a total expenditure of \$50 during the twelve month period beginning January 1 and ending December 31.

You are not a judicial lobbyist if you are a member of the general assembly or an elected official and you are engaged in any of the following: appearing with regard to any complaint, citation, summons, adversary proceeding, or contested case before any state court. You do not have to register as a judicial lobbyist for participating in public hearings or public proceedings on rules, grants or other matters or are responding to any request for information made by any judge or employee of the judicial branch. You do not have to register as a judicial lobbyist for preparing or publishing an editorial, newsletter, or a radio or television broadcast, or are acting within the scope of your employment with the general assembly.

Lobbyist Registration

All lobbyists shall register no later than five days after beginning any lobbying activity. All lobbyist registrations must be filed on forms supplied by the Missouri Ethics Commission. Lobbyists must report the lobbyist's name, business address, and the names and addresses of all persons the lobbyist employs for lobbying purposes. The statement must also contain the name and address of each lobbyist principal. Upon the filing of a lobbyist registration statement, the lobbyist shall pay a fee of \$10. If a lobbyist adds or deletes a principal, the lobbyist must file an amended registration statement within one week of the addition or deletion of the principal.

Lobbyist Expenditures

Expenditure is defined as any payment made or any charge, expense, cost, debt, bill incurred, gift, honorarium or any item of value bestowed upon an elected or public official, including food or beverage; any price, charge, or fee which is waived, forgiven, reduced, or delayed; any loan or debt which is cancelled, reduced, or forgiven; or the transfer of any item with a reasonable discernible cost, or a fair market value from one person to another; or any provision of any service or granting of any opportunity for which a charge is customarily made, or for a reduction in charges.

An expenditure is not any item or service or anything of value transferred from one person to another within the third degree of consanguinity of the transferor. An expenditure is not any informational materials, such as books, reports, pamphlets or calendars, nor contributions made to a public official's campaign committee or candidate committee which are reported pursuant to chapter 130. An expenditure is not any loan or any other credit or payments made by any person which extends credits and when such loans and payments are made in the regular course of business, provided that such loans are made and granted in the ordinary course of business. An expenditure is not any item or service or thing of diminimus value. An expenditure is not the transfer of any item or the payment of any entrance fees to any event when the public official or public employee is participating in the event in their official capacity.

Lobbyist Principal

A lobbyist principal is that organization, corporation, or association by whom the lobbyist is employed or in whose interest the lobbyist appears or works.

Lobbyist Reports

Each lobbyist shall file a monthly report with the Missouri Ethics Commission. This report shall be filed electronically using the Commission's web based reporting system. This report is due no later than the 10th day of each month. If a report is received after the 10th of the month, the lobbyist is subject to a \$10 a day late filing fee for each day the report is late. The report shall list all expenditures made by the lobbyist. The report shall show an itemized listing of the name of the recipient and the nature and

amount of each expenditure made by the lobbyist during the reporting period. The report shall be for all those expenditures made by the lobbyist on behalf of the public official or the official's staff, employees, spouse or dependent children. The lobbyist shall also report all expenditures made by the lobbyist, or the lobbyist principal, for any group when the occasion was made by inviting, in writing, all the members of the senate, all the members of the house of representatives, all members of the joint committee of the general assembly, or all the members of a caucus. The monthly lobbying expenditure report must include any expenditure made on behalf of any public official, that official's staff, employees, spouse or dependent children when such expenditure was solicited by the public official or his staff, employees, spouse or dependent children. Each lobbyist report must detail any direct business relationship or association or partnership the lobbyist has with any public official.

Any public official or any other person whose name appears in any lobbyist report may contest the accuracy of the report applicable to that person by requesting an audit by the Missouri Ethics Commission. The Commission shall audit the report as quickly as possible.

The Missouri Ethics Commission is required by statute to provide a listing of the total amount spent by each lobbyist on every member of the general assembly, any judge or judicial officer, or any other person holding any elective office in state government by the 20th day of each month. Those persons whose name appears in the lobbyist report who contest the accuracy of that report may do so as described earlier. The Commission cannot release any section of a lobbyist report that is challenged unless that part challenged is marked "under review". (105.473.11)

Lobbyist Principal Report (105.473.12) - Every lobbyist principal, or lobbyist on behalf of the principal, must file with the Missouri Ethics Commission on March 15th and May 30th of each year a general description of the legislation proposed and any action taken by the executive branch of government and whether or not the lobbyist principal supported or opposed such action.

In preparing lobbyist expenditure report, the lobbyist or the lobbyist principal shall not include any amount of money spent by the lobbyist or lobbyist principal on himself or herself. All expenditures must be the actual amounts made.

SECTION III. PERSONAL FINANCIAL DISCLOSURE – Sections 105.483 through 105.492, RSMo

Personal financial disclosure statements are filed with the Missouri Ethics Commission annually. As with the laws dealing with lobbying and campaign finance, disclosure is the key. This summary includes various questions about personal financial disclosure reports. To obtain the appropriate form, please contact your local election authority or return the 'Request for Forms' page to the Missouri Ethics Commission. You may also download the required forms from our website at www.moethics.state.mo.us.

What Is The Purpose Of Filing A Personal Financial Disclosure Statement?

The requirement to file a personal financial disclosure statement is based on the principle that information concerning possible conflicts of interest should be available to the public. Portions of Chapter 105, RSMo outline the requirements for disclosing conflicts of interest and possible conflicts of interest. The purpose of this requirement is to disclose any possible conflicts of interest public officials may have with the political subdivision that they are serving. For a more detailed account of the conflict of interest laws, please refer to Sections 105.483 through 105.492, RSMo.

Who Is Required To File The Personal Financial Disclosure Statement?

Individuals required to file under Chapter 105, RSMo, are described in Section 105.483, RSMo as follows:

1. Associate Circuit judges, circuit court judges, judges of the courts of appeals and of the supreme court, and candidates for any such office;
2. Persons holding an elective office of the state, whether by election or appointment, and candidates for such elective office, except those running for or serving as county committee members for a political party pursuant to section 115.609, RSMo, or section 115.611, RSMo;
3. The principal administrative or deputy officers or assistants serving the governor, lieutenant governor, secretary of state, state treasurer, state auditor and attorney general, which officers shall be designated by the respective elected state official;
4. The members of each board or commission and the chief executive officer of each public entity created pursuant to the constitution or interstate compact or agreement and the members of each board of regents or curators and the chancellor or president of each state institution of higher education;
5. The director and each assistant deputy director and the general counsel and the chief purchasing officer of each department, division and agency of state government;
6. Any official or employee of the state authorized by law to promulgate rules and regulations or authorized by law to vote on the adoption of rules and regulations;
7. Any member of a board or commission created by interstate compact or agreement, including the executive director and any Missouri resident who is a member of the bi-state development agency created pursuant to sections 70.370 to 70.440, RSMo;
8. Any board member of a metropolitan sewer district authorized under section 30(a) of article VI of the state constitution;
9. Any member of a commission appointed or operating pursuant to sections 64.650 to 64.690, RSMo, sections 67.650 to 67.658, RSMo, or sections 70.840 to 70.859, RSMo;

10. The members, the chief executive officer and the chief purchasing officer of each board or commission which enters into or approves contracts for the expenditure of state funds;
11. Each elected official, candidate for elective office, the chief administrative officer, the chief purchasing officer, and the general counsel, if employed full time, of each political subdivision with an annual operating budget in excess of one million dollars, and each official or employee of a political subdivision who is authorized by the governing body of the political subdivision to promulgate rules and regulations with the force of law or to vote on the adoption of rules and regulations with the force of law; unless the political subdivision adopts an ordinance, order or resolution pursuant to subsection 4 of section 105.485;
12. Any person who is designated as a decision-making public servant by any of the officials or entities listed in subdivision (6) of section 105.450.

In reference to number eleven (11), a **political subdivision** is a special district or subdistrict of the state that has the authority to assess a property tax. Examples of political subdivisions are cities, villages, counties, schools, library districts, fire districts, ambulance districts, public water supply districts, nursing home districts, hospital districts, and road districts.

Please note that even if you are a volunteer and not compensated for your services for one of the above positions, you may still be required to file a personal financial disclosure statement.

Individuals and candidates serving in political subdivisions that have an annual operating budget under one million dollars are not required to file personal financial disclosure statements. However, it is the responsibility of that political subdivision to notify the Missouri Ethics Commission **each year** that their annual operating budget is under one million dollars.

As A Candidate, Am I Required To File A Personal Financial Disclosure Statement?

Candidates for the following offices are required to file a personal financial disclosure statement:

- Circuit Judge
- Associate Circuit Judge
- Judges of the Courts of Appeals and of the Supreme Court
- Governor
- Lieutenant Governor
- Secretary of State
- State Treasurer
- State Auditor
- Attorney General
- State Senate
- State Representative

- Candidates for office in a political subdivision with an annual operating budget exceeding one million dollars are required to file a personal financial disclosure statement **if** the political subdivision does not have a policy in place pertaining to conflicts of interest. If the political subdivision does have a policy in place, you may be required to file a personal financial disclosure statement depending on the office you are seeking. A candidate for office will follow the same guidelines for filing a personal financial disclosure statement as a current office holder follows.

If you are still unsure about your requirement to file a personal financial disclosure statement as a candidate, please contact your local election authority or the Missouri Ethics Commission for further direction.

Who Decides Which Individuals Are Required To File A Personal Financial Disclosure Statement?

Most of the individuals that fall within the description of a required filer are designated to file a personal financial disclosure statement by the entity in which they are serving. Each of the entities listed in Section 105.450 (6), RSMo are required to provide the Missouri Ethics Commission with the names of individuals required to file a personal financial disclosure statement. The entities listed in Section 105.450 (6) are as follows:

1. The governing body of the political subdivision with a general operating budget in excess of one million dollars;
2. A department director;
3. A judge vested with judicial power by article V of the Constitution of the state of Missouri;
4. Any commission empowered by interstate compact;
5. A statewide elected official;
6. The speaker of the house of representatives;
7. The president pro tem of the senate;
8. The president or chancellor of a state institution of higher education.

If you do not understand why you were designated, please contact the entity that designated you as an individual required to file a personal financial disclosure statement. Each entity is responsible for notifying designated individuals of their requirement to file a personal financial disclosure statement. The Missouri Ethics Commission is not responsible for designating required filers for the entities listed above. The Missouri Ethics Commission is only responsible for assuring compliance with this requirement. If you are still unsure as to whether or not you are required to file a personal financial disclosure statement, please contact the Missouri Ethics Commission. The Missouri Ethics Commission may be able to guide you, assuming that the entity that you are associated with has provided us with a list of individuals designated to file a personal financial disclosure statement.

If I Have Retired Or Resigned From A Position That Required Me To File A Personal Financial Disclosure Statement, Am I Still Required To File?

You are still required to file a personal financial disclosure statement for the time period that you served in a position that requires you to file a personal financial disclosure statement. Please notify the Missouri Ethics Commission of your retirement or resignation so that we may reflect this information in our records.

What Is My Deadline For Filing A Personal Financial Disclosure Statement? What Time Period Should My Disclosure Statement Cover?

There are three possible filing deadlines for individuals required to file a personal financial disclosure statement. However, if you are required to file for more than one position with different deadlines, you should always file with respect to the earlier deadline. According to section 105.487, RSMo, "...no person is required to file more than one financial interest statement in any calendar year."

1. If you are designated to file a personal financial disclosure statement and are not newly appointed or a candidate, then you are required to file after January 1, but no later than **May 1** of each year. Your personal financial disclosure statement must either be received in our office no later than 5:00 p.m. on May 1, or have a postmark of April 30 to be considered timely filed. For individuals required to file May 1, the time period covered by the statement should be the calendar year ending the previous December 31. For example, if your personal financial disclosure statement is due on May 1, 2003, then your time period would cover January 1, 2002, through December 31, 2002.
2. If you are **newly appointed or employed** to a position in which you are required to file a personal financial disclosure statement, then your deadline for filing the statement is thirty (30) days from the date you were appointed. Your personal financial disclosure statement must be received in our office no later than 5:00 p.m. on the thirtieth day after your appointment or have a postmark of the day previous to the deadline to be considered timely filed. The time period covered by the statement should be the calendar year ending the immediately preceding December thirty-first. For example, if you are appointed to a position sometime between January 1, 2003 and December 31, 2003, then your time period covered would be from January 1, 2002, through December 31, 2002.
3. If you are a **candidate** that is required to file a personal financial disclosure statement, then your deadline for filing a personal financial disclosure statement is fourteen (14) days from the closing date of filing for candidacy. Your personal financial disclosure statement must be received in our office no later than 5:00 p.m. on the fourteenth day following the closing date for filing for candidacy, or postmarked the day previous to the deadline to be considered timely filed. The time period covered by the statement should be the twelve months previous to the closing date for filing for candidacy. For

example, if the closing date for filing for candidacy is January 21, 2003, then the deadline for filing your personal financial disclosure statement would be February 4, 2003. The time period covered by your statement would be January 21, 2002, through January 20, 2003.

If you are still unsure about your filing deadline or what time period your statement should cover, please contact the Missouri Ethics Commission. Be aware that there are statutory penalties for failure to file in a timely manner per section 105.492, RSMo. See page 13 for penalties.

Do I Get An Extension If My Filing Deadline Falls On A State Holiday Or Weekend?

In reference to Section 105.487 (4),

“...When the last day for filing falls on a Saturday or Sunday or on an official state holiday, the deadline for filing is extended to 5:00 p.m. on the next day which is not a Saturday or Sunday or official holiday. Any statement required within a specified time shall be deemed to be timely filed if it is postmarked not later than midnight of the day previous to the last day designated for filing the statement.”

State law does not provide extensions for any other situations. If you plan on sending your personal financial disclosure statement to the Missouri Ethics Commission through the mail, it is recommended that you go to the post office window to view the date it is postmarked if you are close to the filing deadline. The purpose of this is to ensure a timely postmark.

Where Am I Required To File My Personal Financial Disclosure Statement?

Every individual required to file a personal financial disclosure statement should file with the Missouri Ethics Commission excluding judges of courts of law. Sitting judges are required to file their personal financial disclosure statements with the clerk of the Supreme Court. Candidates for judge that are not current sitting judges are required to file with the Missouri Ethics Commission. Individuals that are designated to file a personal financial disclosure statement by a political subdivision that has enacted a policy relating to conflicts of interest are required to file a personal financial disclosure statement with the Missouri Ethics Commission and the clerk of the governing body of their political subdivision. If the entity or political subdivision that you are associated with does not have a policy relating to conflicts of interest, then you are only required to file with the Missouri Ethics Commission. If you are unsure of where you are required to file, please contact the Missouri Ethics Commission for assistance. Please do not fax your personal financial disclosure statement to the Missouri Ethics Commission, since we require an original signature. Please mail or hand-deliver your personal financial disclosure statement. Our address is as follows:

Missouri Ethics Commission
PO Box 1370
Jefferson City, MO 65102

If you are having your personal financial disclosure statement delivered by overnight delivery or by hand delivery, our physical address is:

Missouri Ethics Commission
3411-A Knipp Drive
Jefferson City, MO 65109

Which Personal Financial Disclosure Statement Am I Required To File?

The Missouri Ethics Commission has two types of personal financial disclosure statements. The form titled “Personal Financial Disclosure Statement” is referred to as the ‘long’ form since it requests the most information. The form titled ‘Financial Disclosure Statement for Political Subdivisions’ is referred to as the ‘short’ form. Individuals that are designated by political subdivisions that have enacted a policy relating to conflicts of interest only file the ‘short’ form. Everyone else is required to file the ‘long’ form. The ‘long’ form is always acceptable since it includes all of the information requested on the ‘short’ form. However, the ‘short’ form is not acceptable if you serve an entity that does not have their own policy relating to conflicts of interest. Please keep in mind that state statute only allows political subdivisions to adopt a policy relating to conflicts of interest. You may obtain these forms from the Missouri Ethics Commission, our web site, or your local election authority.

If you are designated to file a personal financial disclosure statement for more than one position and one position allows the short and the other requires the long, you are required to file the ‘long’ form. However, state statute provides that no one is required to file more than one personal financial disclosure statement per calendar year. Therefore, the ‘long’ form would meet your filing requirement and you would not be required to file the ‘short’ form in addition to the ‘long’ form.

What Are The Penalties For Filing My Personal Financial Disclosure Statement After The Filing Deadline?

Penalties for failure to file a personal financial disclosure statement may include, late filing fees, withholding of compensation (salary) or remuneration, removal from office, or removal from the ballot. There are no extensions granted by the Missouri Ethics Commission regarding personal financial disclosure statement deadlines. If your personal financial disclosure statement is received after the filing deadline, there is a late filing fee of \$10 a day for each day that the statement is late. If the designated filer does not file by the required deadline and receives compensation or remuneration from public funds, they will not be paid until the statement is filed. If the disclosure statement

remains unfiled, the Missouri Ethics Commission will send a certified notice to the designated filer reminding them of their requirement to file and the fee associated with failure to file. If the designated filer does not file a personal financial disclosure statement within thirty days of receipt of the certified notice, the fee is raised to one hundred dollars (\$100) per day for each day it is late. Under current legislation it is also possible to be suspended or removed from your position or office for failure to file a personal financial disclosure statement.

If an individual is required to file a personal financial disclosure statement because he or she is a candidate and that person fails to meet the filing deadline, the Missouri Ethics Commission is required by law to inform the official who accepted the candidate filing that the candidate is disqualified. The individual who accepted the filing is the person who will remove the candidate from the ballot.

For further information regarding penalties for untimely filing or failure to file a personal financial disclosure statement, please refer to Sections 105.492 and 105.963.3, RSMo.

How Do I Appeal A Late Filing Fee Assessed By The Missouri Ethics Commission?

It is the individual's option to appeal late filing fees that are assessed against them. The Missouri Ethics Commission does not have the authority to waive or reduce the late fees that are required by Section 105.963.3, RSMo. If you wish to appeal a late filing fee, you may file a written complaint against the Missouri Ethics Commission with the Administrative Hearing Commission (AHC). This must be filed with the Administrative Hearing Commission within fourteen (14) days after receiving actual notice of the late filing fee from the Missouri Ethics Commission. The AHC will conduct a formal legal proceeding to review the fee. You will have an opportunity to present evidence and legal arguments to support your claim and the Missouri Ethics Commission will be represented by an attorney from the Missouri Office of the Attorney General, who will present evidence and legal arguments on the Missouri Ethics Commission's behalf. Each side will have an opportunity to rebut the evidence and arguments presented by the opposing side. The address for the Administrative Hearing Commission is PO Box 1557, Jefferson City, MO 65102; their phone number is (573) 751-2422; their fax number is (573) 751-5018.

Tips On Completing Your Personal Financial Disclosure Statement

- When filling out your personal financial disclosure statement you are required to disclose your spouse's information and information regarding your **dependent** children.
- Read each question very carefully. If the question does not apply to you, please indicate 'none' or 'not applicable' in the space provided. This will show that you have acknowledged each question.

- If the personal financial disclosure statement does not provide enough space for your response, please feel free to include an attachment in order to provide all of the requested information.
- You are not required to disclose any dollar amounts, only sources.
- In box one (1) of the first page indicate the appropriate time period covered by the statement. If you are unsure of what time period to cover, please refer to the section titled “What time period should my disclosure statement cover?”
- In reference to box six (6), you should provide the name of the entity that designated you as an individual required to file a personal financial disclosure statement. If you are a candidate, please provide the name of the entity in which you are running for office. Box seven (7) requests your title, which is where you should list your position with the entity. If you are a candidate, please indicate that you are a candidate and the position you are seeking.
- If you are unsure about a whether or not something is required to be disclosed, it is suggested to disclose if you are in doubt. There is no penalty for over disclosure. This may also avoid the appearance of concealing possible conflicts of interest.



2002-2003 PERSONAL FINANCIAL DISCLOSURE REPORTING DATES

Individuals required to file a Personal Financial Disclosure Statement who are not candidates, newly appointed or newly employed are required to file After January 1, 2003 and no later than May 1, 2003

Personal Financial Disclosure Filing Deadlines for Candidates

STATUTORY ELECTION DATES	CLOSING DATE OF FILING FOR CANDIDACY	PERSONAL FINANCIAL DISCLOSURE STATEMENT FILING DEADLINE* (14 DAYS FROM THE CLOSING DATE OF FILING FOR CANDIDACY)	PERSONAL FINANCIAL DISCLOSURE STATEMENT FILING DEADLINE** (21 DAYS FROM THE CLOSING DATE OF FILING FOR CANDIDACY)
February 4, 2003	November 19, 2002	December 3, 2002	December 10, 2002
March 4, 2003 (see charter)	December 17, 2002	December 31, 2002	January 7, 2003
April 8, 2003	January 21, 2003	February 4, 2003	February 11, 2003
June 3, 2003	March 18, 2003	April 1, 2003	April 8, 2003
August 5, 2003	May 20, 2003	June 3, 2003	June 10, 2003
November 4, 2003	August 19, 2003	September 2, 2003	September 9, 2003

***FAILURE TO FILE BY FOURTEEN DAY DEADLINE MAY RESULT IN A LATE FILING FEE OF \$10 PER DAY**
****FAILURE TO FILE BY TWENTY-ONE DAY DEADLINE MAY RESULT IN REMOVAL FROM THE BALLOT**

Please contact your local election authority or the Missouri Ethics Commission for a personal financial disclosure statement. You may also download the Personal Financial Disclosure Statement from the Missouri Ethics Commission website at www.moethics.state.mo.us. Personal Financial Disclosure Statements filed by mail must be postmarked not later than midnight of the day prior to the report deadline to be considered timely filed. Reports hand delivered on the deadline must be received by 5:00 p.m. to be considered timely. Section 105.487 (4), RSMo.

SECTION IV. COMPLAINTS - Sections 105.957 through 105.959, RSMo

One of the statutory requirements given the members of the Missouri Ethics Commission is to receive and review alleged violations of Chapter 130 and sections 105.450 to 105.498, RSMo. The complaint process is confidential. All investigations by the Commission are confidential.

Complaint Process

All complaints filed with the Missouri Ethics Commission must be in writing, must be filed by a natural person having their signature notarized, and must contain all facts known by the complainant that have given rise to the complaint. Any complaint which does not conform to the requirements of this paragraph, shall be returned to the complainant with a letter advising the complainant of the deficiencies.

The Commission has jurisdiction to review complaints alleging violations of:

1. The requirements imposed on lobbyists by sections 105.470 to 105.478, RSMo;
2. The financial interest disclosure requirements contained in section 105.483 to 105.492, RSMo;
3. The campaign finance disclosure requirements contained in chapter 130, RSMo;
4. Any code of conduct promulgated by any department, division, or agency of state government, or by state institutions of higher education, or by executive order;
5. The conflict of interest laws contained in sections 105.450 to 105.468 and section 171.181, RSMo; or,
6. The provisions of the constitution or state statute or order, ordinance or resolution of any political subdivision relating to the official conduct of officials or employees of the state or political subdivisions.

The Commission shall not investigate complaints alleging conduct which allegedly occurred previous to the period of time allowed by law for criminal prosecution for such conduct, or conduct which is not criminal in nature which occurred more than two years prior to the date of the complaint. The Commission may refuse to investigate any conduct which is the subject of civil or criminal litigation. The Commission, and anyone associated with or employed by the Commission, shall maintain confidentiality with respect to all matters concerning a complaint.

If the complaint filed with the Commission alleges a violation of the conflict of interest laws contained in sections 105.450 to 105.468 and section 171.181, RSMo, or a violation of the provisions of the constitution or state statute or order, ordinance or resolution of any political subdivision relating to the official conduct of officials or employees of the state and political subdivision, the executive director shall report these complaints to the Commission who may assign the complaint to a special investigator.

Once the complaint has been assigned to a special investigator, the investigator has 120 days within which to submit their report to the Commission.

If the Commission determines there are reasonable grounds to believe the person has violated the requirements of sections 105.470, 105.483 to 105.492 or Chapter 130, RSMo and by a vote of four members, the Commission shall refer the matter to the local prosecuting attorney. The prosecutor then has sixty (60) days within which to commence an action or file a written statement with the Commission explaining why criminal charges should not be sought.

If the Commission determines there are reasonable grounds to believe that a violation of the law occurred which is not criminal in nature or that criminal prosecution is not appropriate, the Commission may conduct a hearing. Such hearing shall be a closed hearing. If the Commission determines by a vote of at least four members that there is probable cause to believe a violation of the law occurred, the Commission may forward its findings to the appropriate disciplinary authority over the person who is the subject of the complaint.

The Commission shall not accept any complaint alleging conduct, other than failure to file the appropriate financial interest statements or campaign finance disclosure reports, by any candidate for public office, within sixty days prior to the primary election at which such candidate is running for office, and until after the general election. Upon receipt of any such complaint, the executive director of the Commission shall immediately return the complaint to the complainant and shall explain in writing the reason for the return of the complaint. (105.957.3)

Any natural person may, however, file a complaint alleging failure to file the appropriate financial interest statement or campaign finance disclosure reports by any candidate for elective office within sixty days prior to the primary election at which such candidate is running for office. Within fifteen business days of receipt of this type of complaint, the Commission shall audit and investigate the allegations contained in the complaint. (130.054)

SUMMARY OF CHAPTER 130, RSMo

Campaign Finance Laws

The purpose of this Campaign Finance Summary is to explain the Campaign Finance Disclosure Law and its application among individuals, candidates, and committees in Missouri elections. The Missouri Ethics Commission has enforcement authority over Chapter 130 RSMo. The main objective of the law is disclosure - there are few restrictions on the source of campaign contributions or expenditures, but complete and accurate records and disclosure of all campaign activity are required.

This summary should be used in conjunction with the text of Chapter 130 of the Missouri Revised Statutes (RSMo), which applies to all candidates for any public office. While this summary may serve as a useful guide, it is not the law - you must comply with the actual text of Chapter 130 itself. In addition, your local election authority and the Missouri Ethics Commission office may be consulted if questions or problems arise.

SECTION I. EXPLANATION

Records and Accounts

All candidates for any office are required to maintain accurate and up-to-date records and accounts in accordance with normal bookkeeping procedures. Such records and accounts must reflect all financial transactions concerning the campaign. The records must contain all documents necessary to back up the accounts and reports. These include bills, receipts, deposit records, and canceled checks and any other important documents.

Every contribution that is received, regardless of amount, must be recorded in the records and must include the date received, the name, address, employer or occupation if self employed, of each contributor, and the amount of the contribution and whether it was received in the form of cash, check or in-kind. If someone contributes to the campaign more than once, a running total should be kept for that individual.

Each expenditure, regardless of the amount, should be recorded by the date, amount, purpose, and the name and address of the person to whom the expenditure was made or promised. Also, indicate whether the expenditure was made by check, cash or in-kind and keep records of any contract or agreements.

All records and accounts must be kept for a period of 3 years after the date of the election to which they apply.

Identification of Advertising Sponsors

The law requires printed matter or electronic broadcast used to advertise a campaign identify the sponsor of any such advertising matter. This regulation applies to all candidates regardless of their other responsibilities under the law.

Printed matter, including signs, handbills, circulars, bumper stickers and newspaper advertisements among others, must have clearly printed on them “Paid For By”, followed by a proper identification. In the case of printed matter paid for by a committee the “Paid For By” statement should give the name of the committee and the committee’s treasurer. In the case of printed matter paid for by a candidate without a committee, the identification is “Paid For By” followed by the first and last name of the candidate.

Any radio or TV broadcast station that makes a transmission pertaining to a campaign should identify the sponsor of any such broadcast according to Federal Law.

Determine Reporting Status

A candidates campaign finance reporting responsibility *is determined by the office sought and the amount of money (including their own) that a candidate plans to collect or spend* for their campaign. The primary and general elections are separate elections and the threshold applies separately to each election.

There are two classes of exempt candidates:

- a candidate for a county office (any county) or a political party office (committeeman or woman), a municipal office in a municipality with a population of less than 100,000, any special district office, school district, water supply district, library board, etc., or a nonpartisan candidate for supreme court judge, circuit court judge or associate circuit court judge, who does not intend to exceed a threshold of \$1,000 in contributions or expenditures (including their own money) and will not accept contributions from any one contributor in excess of \$250, *is automatically exempt from forming a committee, or filing a statement of exemption.*
- a candidate for statewide elected office, general assembly, partisan judicial office other than municipal judge, or a candidate for municipal office in a city with a population of more than 100,000 that does not intend to exceed a threshold of \$500 in contributions or expenditures (including their own money) and will not accept contributions from any one contribution in excess of \$250, may file a *Statement of Exemption*. If a *Statement of Exemption* is filed, statements of limited activity are also required to be filed as discussed below.
- *If a candidate plans to exceed the threshold, regardless of the office for which they are a candidate, they must form a committee and file disclosure reports. Details on how to form a committee and file reports are contained in Sections III and V of this summary.*

SECTION II. REPORTING EXEMPTION OR REJECTION

Statement of Exemption (MO 300-1309 Form ER)

The purpose of the Reporting Exemption provision is to minimize the paper work required for candidates for statewide elective office, general assembly or municipal office with a population of more than 100,000 who receive or expend little or no money on their campaigns. If the eligibility requirements found under “Determining Reporting Status” in Section I are met, a candidate may comply with the reporting requirements of the law by completing a one- page form, entitled *Statement of Exemption or Rejection Form (MO 300-1309)*, and on other reporting deadlines file a *Exemption Statement of Limited Activity For A Candidate Who Filed Statement of Exemption (Form 300-1407)*.

The *Statement of Exemption* form is a signed promise that a candidate will not exceed the \$500/\$250 threshold. It is therefore their responsibility to ensure that they, or any person or committee acting with their consent or knowledge, does not accept contributions or incur expenditures in excess of the \$500/\$250 threshold.

A primary and the immediately succeeding general election are considered separate elections; the \$500/\$250 threshold applies to each election independently. However, if the candidate files a *Statement of Exemption* for the primary, has not filed an *Exemption Rejection*, and does not intend to exceed the \$500/\$250 threshold during the general election, the *Statement of Exemption* will be automatically extended to the general election.

While an exemption relieves a candidate from the responsibilities of forming a committee and filing full financial disclosure reports, it does not excuse them from any of the other provisions contained in Chapter 130 RSMo.

Rejecting the Statement of Exemption

If, sometime during the campaign, a candidate finds that the \$500/\$250 threshold is too restrictive and decides to exceed it, they may change their status by filing a *Statement of Rejection*. A *Statement of Rejection* may not be filed within 30 days before the election. In addition to filing the *Statement of Rejection*, the candidate must:

1. Form a committee;
2. File a *Statement of Committee Organization* (Form MO300-1308);
3. File any financial disclosure reports that would have been required if they had not filed a *Statement of Exemption*.

SECTION III. COMMITTEE ORGANIZATION AND TERMINATION

Committee Organization

1. Naming the Committee: Each committee is required to be registered under an official name. In the case of a candidate committee, at least the last name of the candidate supported by the committee must be included in the committee name.
2. Appointing Officers: Every candidate committee must appoint a committee treasurer who is a resident of Missouri. The candidate is ultimately responsible for a candidate committee. The treasurer is to maintain records and accounts, file timely reports and ensure that the committee functions in accordance with state regulations. A candidate may appoint them self as treasurer and act as a committee of one. *A candidate who fails to timely file reports will be subject to a late fee for each day the report is not filed.*
3. Establishing Accounts:
 - a. Every committee must establish at least one official depository account in the committee's name. An official depository account is defined as an account for which negotiable instruments (such as checks) are issued. The official depository account must be established in a state or federally chartered bank, savings and loan association or credit union in Missouri. All contributions and other receipts received by the committee, including the Candidates' own funds, must be deposited in the official depository account and all expenditures must be made from it.
 - b. Committee contributions cannot be mixed with the funds of any person, except that contributions made by the candidate to his own candidate committee may be deposited in the official account. Any withdrawal from the committee's account must be made by the treasurer, deputy treasurer, or candidate.
4. Investments: The committee treasurer, deputy treasurer or candidate may withdraw funds and deposit them in a savings account in any bank, savings and loan association or credit union in Missouri. The treasurer may also invest them in a certificate of deposit, bond or security.
5. Any candidate for elective office shall have only one committee for the elective office sought.
6. Filing the Statement of Committee Organization: The treasurer or deputy treasurer must file a *Statement of Committee Organization (Form 300-1308)* with the appropriate officer(s) within 20 days of the committee's formation but no later than the 30th Day Before Election. The appropriate officer(s) to receive filings from various types of committees are listed in Section V below.
7. Filing an Amended *Statement of Committee Organization*: If the information reported on the original *Statement of Committee Organization* is added to, changed or deleted, it is required that an Amended Statement be filed with the appropriate officer(s) within 20 days of the change; but, no later than the date of the next disclosure report.

Committee Termination

A *Committee Termination Statement (Form 300-1317)* is the form used to report the conclusion of all activity by a committee. In order to officially terminate a committee the following steps must be taken:

1. All accounts, including debts and money on hand, must have balances of zero;
2. An individual must be appointed to be responsible for maintaining the committees records and accounts for a period of 3 years after the election;
3. A *Committee Termination Statement* (MO 300-1317 Form CO 3) disclosing the distribution of surplus funds and the disposal of outstanding debts, must be submitted within 10 days of the committee's dissolution;
4. A complete disclosure report covering the period from the date of the last report submitted to the date of the dissolution of the committee must be filed with the Termination Statement;
5. If loans have been forgiven, there must be signed statements from the individuals, businesses or organizations who are forgiving the loans. If a candidate is forgiving a loan he or she made to the committee, a statement to that effect, signed by the candidate, must be submitted.

SECTION IV. RECORD KEEPING

Original Records Required

Candidates and committees are required to maintain complete and up-to-date records that contain documents related to financial transactions. These must include the bills, receipts, deposit records, canceled checks and other documents which could be used to verify any statement or reports filed by the committee or candidate. Copies of any statements or reports filed with appropriate officers should also be maintained.

Candidates and their candidate committees are required to begin keeping records when they first become candidates. An individual is defined as a candidate when he or she first:

- announces candidacy; or
- files a declaration of candidacy; or
- receives contributions, makes expenditures, or reserves facilities for the campaign; or
- knows or has reason to know that others are receiving contributions, making expenditures or reserving facilities for the campaign.

SECTION V. REPORTING

The Forms

The purpose of the Campaign Finance Disclosure Law is to disclose information concerning campaign financial activity to the public in a timely manner. *A candidate that fails to timely file disclosure reports will be subject to an automatic late fee for each day the disclosure report is not filed.* Report forms are available from the local election authority, the Commission or may be downloaded from the Commission's web site: www.moethics.state.mo.us

A Candidate that is required to file with the Ethics Commission may apply for a confidential Personal Identification Number and file their disclosure reports in an electronic format.

A Committee Disclosure Report is comprised of a minimum of four reporting forms*:

1. CD Cover Page (MO 300-1310)*
2. CD Summary (MO 300-1311)*
3. CD 1 - Contributions and Loans Received (MO 300-1312)*
4. CD 3 – Expenditures and Contributions Made (MO 300-1315)*

The following forms are filed for the specific purpose designated.

5. CD 1A - Fund Raising Statement (MO 300-1313)
6. CD 1B - Loan Information Reports (MO 300-1314)
7. CD 2 - Statement of Investments (MO 300-0079)
8. CD 4 - Direct Expenditure Form (MO 300-1316)
9. CD 7 - Contractual Relationship Report (MO 300-1322)
10. CD 8 - Independent Contractual Expenditure (MO 300-1323)
11. CD 1 Supplemental – Contributions Received-Supplemental (MO 300-1320)
12. CD 3 Supplemental – Expenditures Made-Supplemental (MO 300-1321)
13. CD LA Comm. Statement of Limited Activity in Lieu of Disclosure Report (MO 300-1318)
14. 48 Hour Notice of Late Contribution/Loan Received (MO 300-1457)
15. CO 3 – Committee Termination Statement (MO 300-1317)
16. ER – Statement of Exemption or Rejection (MO 300-1309)
17. ES LA – Exemption Statement of Limited Activity for Candidate Who Filed Statement of Exemption (MO 300-1407)
18. S 1 & S 2 Non-Committee Expenditure Report (MO 300-0697)
19. S 3 – Out of State Committee Report (MO 300-0662)
20. CO 1 & 2 – Statement of Committee Organization (MO 300-1308)
21. Personal Identification Number Application

Where Campaign Reports Are Filed

Candidates and committees are required to submit all statements and reports pertaining to their campaigns to their designated appropriate officer(s). Most candidates have a dual filing responsibility. The following chart shows where candidates should file their reports.

<i>Office Sought</i>	<i>Appropriate Officer</i>
Governor Lieutenant Governor Secretary of State State Treasurer State Auditor Attorney General Supreme Court Judges Appellate Court Judges	Missouri Ethics Commission
State Senator State Representative County Clerk Circuit Court Judge Associate Circuit Court Judge	Missouri Ethics Commission AND The Election Authority for the candidate's place of residence
Elective municipal offices in cities of more than 100,000 population Elective county government offices in counties of more than 100,000 population	Missouri Ethics Commission AND The Election Authority for the candidate's place of residence
All other elective offices (cities, special purpose district and all other local political subdivisions.)	The Election Authority for the district or political subdivision in which the office is sought AND The Election Authority in whose jurisdiction the candidate resides

Deadlines For Filing Campaign Reports

The law requires that reports be filed at specific times during and after election campaigns. A committee must file reports within those times. A reporting calendar may be obtained from your local election authority or the Missouri Ethics Commission.

With few exception, committees must file disclosure reports at the following times: Quarterly: Committees must file disclosure reports by the 15th day of January, April, July, and October. These reports must include information about the committee's activities during the following periods:

January 15	October 1 – December 31
April 15	January 1 – March 31
July 15	April 1 – June 30
October 15	July 1 – September 30

15 Day After Caucus Nomination: For those candidates who are **nominated by political party caucus** (for example to fill a vacancy in the General Assembly) special reporting provisions are made. The first report by a committee is due no later than 15 days after the date of nomination. Further reports are due on the normal reporting dates for that particular election.

8 Days Before Election: A candidate committee must file a disclosure report no later than eight days before the election. The report must include information about the committee's activities for the period beginning after the last day covered by its most recent report and closing on the 12th day before the election.

48 Hour Notice: The receipt of a contribution or loan of more than \$250, received after the closing date for the 8 day before election report, shall be reported to the appropriate officer(s) no later than 48 hours after receipt. The disclosure may be by any written means of communication and shall be included in the 30 Day After Election report.

30 Days After Election: A committee must file a disclosure report no later than thirty days after the election. The report must include information about the committee's activities for the period beginning on the 11th day before the election and closing on the 25th day after the election.

A successful candidate who takes office prior to the 25th day after the election must file a disclosure report before taking office and the report must cover the period closing on the day before taking office.

Disclosure reports must be filed with the appropriate officer not later than 5:00 p.m. prevailing local time of the report deadline day for the filing of the report, or must be postmarked not later than the day previous to the deadline day for filing the report to be deemed filed in a timely manner.

When the last day for filing a *disclosure report* falls on a Saturday or Sunday or on an official state holiday, the deadline is extended to 5:00 p.m. on the next day which is not a Saturday or Sunday or official holiday.